

# EXHIBIT 88

JMM:SK:DCL  
F#:2013R00948

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK  
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UNITED STATES OF AMERICA

BILL OF PARTICULARS

- against -

Cr. No. 13-607 (JFB)

PHILLIP A. KENNER and  
TOMMY C. CONSTANTINE,  
also known as  
"Tommy C. Hormovitis,"  
  
Defendants.

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ **AUG 20 2015** ★

LONG ISLAND OFFICE

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The United States of America, by and through its attorney KELLY T. CURRIE, Acting United States Attorney for the Eastern District of New York, and Diane C. Leonardo, Assistant United States Attorney, hereby files the following Bill of Particulars for Forfeiture of Property.

This superseding indictment seeks forfeiture of property pursuant to Title 18, United States Code, Sections 981(a)(1)(C), 982(a)(1) and (b)(1) and Title 21, United States Code, Section 853(p) and Title 28, United States Code, Section 2461(c). The United States hereby gives notice that the United States is seeking forfeiture of the following additional property:

- a) All right, title and interest, directly or indirectly, in Baja Ventures 2006, LLC, and all proceeds traceable thereto;
- b) All right, title and interest, directly or indirectly, in KAJ Holdings, LLC, and all proceeds traceable thereto;
- c) All right, title and interest, directly or indirectly, in CSL Properties 2006, LLC, and all proceeds traceable thereto;

d) All right, title and interest, directly or indirectly, in Diamante Properties, LLC, and all proceeds traceable thereto;

e) All right, title and interest, directly or indirectly, in Somerset, LLC, and all proceeds traceable thereto;

f) All right, title and interest, directly or indirectly, in real property and premise known as Diamante Cabo San Lucas located at Boulevard Diamante s/n, Los Cangrejos, Cabo San Lucas, B.C.S. Mexico 23473 and all proceeds traceable thereto.

g) All right, title and interest, directly or indirectly, in real property and premise located at, Mosquito Rojo, Block 17 Lot 30, Cerrada Del Mar No. 148, Fracc. El Pedregal, Cabo San Lucas, B.C.S. Mexico 23453 in the name of Phillip Kenner and all proceeds traceable thereto.

The United States reserves the right to further supplement or amend this Bill of Particulars.

Dated: Central Islip, New York  
August 20, 2015

KELLY T. CURRIE  
Acting United States Attorney  
Eastern District of New York  
610 Federal Plaza, 5<sup>th</sup> Floor  
Central Islip, New York 11722

By: /s/ Diane C. Leonardo  
Diane C. Leonardo  
Assistant United States Attorney  
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